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**A PROCESS EVALUATION
OF THE
PEMBROKE VICTIM/WITNESS ASSISTANCE PROJECT**

**Submitted by R. R. Ross Associates, to the
Ministry of the Attorney General,
Research Services**

March 31, 1988

**This evaluation was conducted by Wanda Jamieson, M.A.
and Robert R. Ross, Ph.D. The opinions expressed are
those of the authors and do not necessarily reflect the
views of the Ministry of the Attorney General.**

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I. INTRODUCTION

A. BACKGROUND

In 1987, the Attorney General of Ontario initiated the Victim/Witness Assistance Program at ten sites throughout Ontario. The Program's purpose is to provide victims and witnesses of crime with information and supportive services during criminal justice court proceedings.

In February, 1988, R. R. Ross Associates was requested by the Chief, Research Services, Ministry of the Attorney General, to conduct a process evaluation of the Pembroke, Renfrew County, and Kingston, Frontenac County Project sites (¹). The primary purpose of this evaluation was to provide the Ministry with an objective assessment of whether the Victim/Witness Assistance Projects at these two sites are operating in a manner consistent with the Program's stated objectives. The secondary purposes were to assess and comment on whether a subsequent outcome evaluation of this Program would be feasible, to suggest how this might best be achieved, and to advise on modifications required for further development of the Program.

This report presents the findings of the Pembroke site evaluation. It focuses on the organizational and administrative implementation of the pilot Project at this site, and includes a preliminary assessment of the project's effectiveness in meeting the program goals. It includes:

- a description of the Victim/Witness Assistance Program in general, and a profile of the Pembroke Project in particular;
- an assessment of the Project's operational orientation and activities;
- a discussion of the operational and evaluation issues which have been identified in the course of this study; and

¹ Throughout this report, we will refer to the "Program" as the initiative generally. The term "Project" refers to the site specific activities.

- recommendations to enhance the delivery of services at this site.

The Kingston findings are presented in a separate report, titled, "A Process Evaluation of the Kingston Victim/Witness Assistance Project". A third report, titled, "The Victim/Witness Assistance Program - Recommendations for Future Program Development" is also presented, based on our observations and conclusions from both Project sites.

The present process evaluation studies, in addition to a planned outcome evaluation study, will aid the Ministry in refining the Program structure and will assist future decision-making concerning Program expansion.

B. ORGANIZATION OF THE REPORT

The following section of this Chapter describes the study methodology. Chapter II provides an overview of the Victim/Witness Assistance Program's development, objectives, activities, and expected impacts and effects. Chapter III presents a specific profile of the Pembroke Project, and Chapter IV presents a description of its clients.

The impacts and effects of the Project on local criminal justice administrative structures and processing procedures, on victims and witnesses, and on the community's support services and agencies are discussed in Chapter V.

Chapter VI addresses the Project's operational procedures, and Chapter VII presents various ways through which project delivery can be enhanced.

The question of whether the Program's objectives are being met at the Pembroke site is addressed in Chapter VIII. Our concluding remarks and a summary of our recommendations are included in Chapter IX.

C. METHODOLOGY

The evaluation approach adopted for this study consisted of a review of the Victim/Witness Assistance Program documentation provided by Research Services, Ministry of the Attorney General, a review of on-site project documentation made available at the Pembroke office, and thirty-two in-depth interviews with program

officials, court officials, representatives of the Ontario Provincial Police, Pembroke Police, participating community agency personnel and ten interviews with Project clients.

1. Project Documentation

Generally, sufficient planning documentation existed to enable us to structurally describe the Pembroke Project. The Project has been modified since the planning stage, and we have attempted to provide an updated Project description.

However, we found the Project's operational documentation insufficiently detailed for Project management and evaluation purposes. We have submitted verbal recommendations for corrective action for program data collection to the Research Services of the Ministry of the Attorney General. Specific recommendations affecting the Pembroke Project are discussed at various stages throughout this Report.

Immediate data-related concerns affecting the present study methodology, however, are discussed below.

a. Client Data

Because the Pembroke Project is well integrated into the everyday operation of the Crown's Attorney's office, its client records are integrated with the Crown's case file.

The proscribed Program client intake form is not routinely completed by the Pembroke Project. It is used only as a mechanism of referral between the Crown's office and the Project Coordinator. It is used only for clients offered intensive assistance - typically, victims only. In any event, only a few information fields are completed. Processing information is usually kept in the form of a memo which is attached to the Crown's file.

In an effort to reconstruct the client data, we examined a small sample of Crown files and it was not possible to successfully retrieve, with any degree of confidence, the missing information. Our client profile analysis is, therefore, based on limited data.

The Pembroke Project, in conjunction with the Crown Attorney's office has developed an alternative, computerized client data base system, using PC FILE, however this software program has very limited capabilities, as is its use at the Pembroke site.

According to the Project coordinator, reliable program data from this data base is available only since January, 1988. In comparison with the fragmentary data available from May - December, we have concluded that this data source is more reliable and representative of the Pembroke client profile. Processing data is, however, not available from this source.

b. Activity Data

Our review of the Project's monthly summary forms revealed some discrepancies in recording practices from month to month, and we have therefore used this information source cautiously. Generally, the activity data underestimate the number of contacts the Project has had with victim/witnesses, and does not reflect the high degree of informal contact and liaison which the Project Coordinator has with the local agency service structure.

2. Interview Data

Thirty-one in-depth interviews were conducted at the Pembroke office site as part of this evaluation:

- Senior Crown Attorney,
- Assistant Crown Attorney,
- two "per diem" Crown Attorneys,
- Judge, Provincial Court, Criminal Division
- Court Administrator
- Victim/Witness Project Coordinator,
- Victim/witness Project Volunteer Coordinator
- two Victim/witness Project Volunteers
- two Sergeants, and one representative constable of the area's Ontario Provincial Police Detachments
- the Chief, and a representative constable of the Pembroke township police detachment
- two Directors of Renfrew County Women's Shelters (Avoca House and McCann House)
- Representative of the Barrie's Bay Mental Health Services
- Representative of the Pembroke General Hospital's counselling services
- Executive Director and staff representative of Family and Child Services, and
- Ten clients who received intensive services from the Project.

The Provincial Victim/Witness Assistance Program Coordinator was also interviewed concerning the general operation of the Program.

Our interviews with the above persons were semi-structured, permitting a number of open-ended responses to encourage problematic issues, or points of concern to emerge. This approach was geared to capture a real sense of the individual Project, particularly as the definitional structure and approach to implementation have remained fluid in response to local needs.

It should be noted that the same approach, modified to the local situation, was employed in the Kingston evaluation, in order to facilitate a comparative assessment of the two Project models.

II. PROGRAM DESCRIPTION

A. PROGRAM HISTORY

In Canada, the concept of victim/witness services has emerged out of a greater concern for the developing rights and needs of victims and witnesses of crimes for information and support from the criminal justice system. Similar kinds of services exist in many jurisdictions in the United States, Great Britain, and other European countries.

In Ontario prior to 1982, various non-governmental agencies were providing some support for victims and witnesses of crime. Many women's groups were involved in assisting victims of domestic violence and sexual assault through the court process. Other broader based organizations, such as the Salvation Army, offered general support and assistance to victims and witnesses of crimes. However, as external agencies, they could play only a limited role in providing accurate, up-to-date case information to victims and witnesses participating in court proceedings.

In 1982, the Ministry of the Attorney General provided financial support to two external agency, volunteer-based pilot projects (Ottawa and London) for victim/witness assistance services.

In 1987, as part of a \$5.4 million initiative to extend services to victims of crime, the Management Board of Cabinet allotted \$450,000 for pilot Victim/Witness Assistance Projects, to be located within Crown Attorney's offices at ten sites across Ontario.

It was hoped that the provision of this service, under the auspices of the Crown Attorney's office, would provide more consistent and informed service and support for victims and witnesses. Moreover, it was hoped that the Program would enhance public knowledge of, and thereby effective participation in court procedures.

Local Project Coordinators were appointed to develop and implement a site-specific Project. Each Project Coordinator was given significant latitude in establishing local objectives, and in creating a program which would be consistent and compatible with local Crown Attorney office practices.

As a result of the localized style of Project development and the diversity of the sites chosen for the pilot, each Project has developed a unique service orientation. The Program's general policy and operational procedures were left explicitly flexible during this early phase of Program operation with the view that local needs could be accommodated. An expansion of the Program however, would require a more consistent, and more cohesive structure to ensure the provision of equitable services across Ontario.

B. PROGRAM RATIONALE

The Victim/witness Assistance Program represents an attempt to make the criminal justice system more responsive to human needs. Until very recently, victims and witnesses of crime have often been treated perfunctorily throughout the criminal justice process. This Program has been designed to provide victims and witnesses with information about court procedures, prepare them for any necessary court appearance, and support them through the court process. The underlying premise of the Program is that better informed and comforted victims and witnesses will be more cooperative participants throughout the criminal justice procedures. The Program's proactive role in preventing the 'double victimization' of persons who have experienced or witnessed a criminal victimization, is generally compatible with the Attorney General's principle of offering more effective support for victims and witnesses of crime.

The Ministry of the Attorney General's 1984 domestic assault prosecution policy directive has placed an additional responsibility on Crown Attorneys to change their style of case preparation and prosecution, to more effectively accommodate victim/witnesses' needs. The Victim/Witness Assistance Program has a critical, intermediary role to play in assisting Crown Attorneys to prepare quality prosecutions and reach satisfactory resolutions in domestic assault cases.

Similarly, it can be anticipated that Bill C-15, "An Act to Amend the Criminal Code and the Canada Evidence Act", proclaimed on January 1, 1988, will result in an increase in the number of child sexual abuse cases going to court. Because of the sensitive nature of child sexual abuse cases, there is a need to ensure that the Crown Attorneys allot sufficient time to prepare child witnesses for court testimony. The Victim/Witness Assistance Program has the potential to assist the Crown Attorneys in dealing with these cases, and, because of its community linkages and

liaison, to ensure a coordinated response in each case, among police, child welfare workers and other experts

C. PROGRAM GOALS AND OBJECTIVES

The goal of the Victim/Witness Assistance Program is:

- to provide more comprehensive services to victims and witnesses of crimes in order to enhance their understanding of and participation in the criminal justice process.

The objectives of the Victim/Witness Assistance Program are:

- to offer moral support to victims;
- to provide courtroom orientation;
- to explain legal terminology;
- to accompany victims to court;
- to act as liaison on behalf of the victim with the police and Crown;
- to refer victims to community agencies for counselling and other support services; and
- to provide a public education and coordinating function for agencies and other governmental bodies within the community.

The Victim/Witness Assistance Program is designed to improve the quality of the court processing experience of victims and witnesses.

D. PROGRAM DESCRIPTION

1. Program Orientation and Scope

The Victim/Witness Assistance Program operates on a social service model, through which the needs of individual clients are professionally assessed, and services are identified to meet their needs. It is distinguished from a counselling service by the short-term nature of its intervention, and its policy of referring

clients to community resources for on-going support and assistance.

The Program provides services to victims and witnesses of crime who will be involved in a court proceeding. It responds to cases in which a criminal victimization has occurred and charges have been laid. The Program's services terminate once the court's final disposition has been reached.

As a publicly oriented Program, it is available to defence witnesses, although the primary focus is upon Crown witnesses and victims.

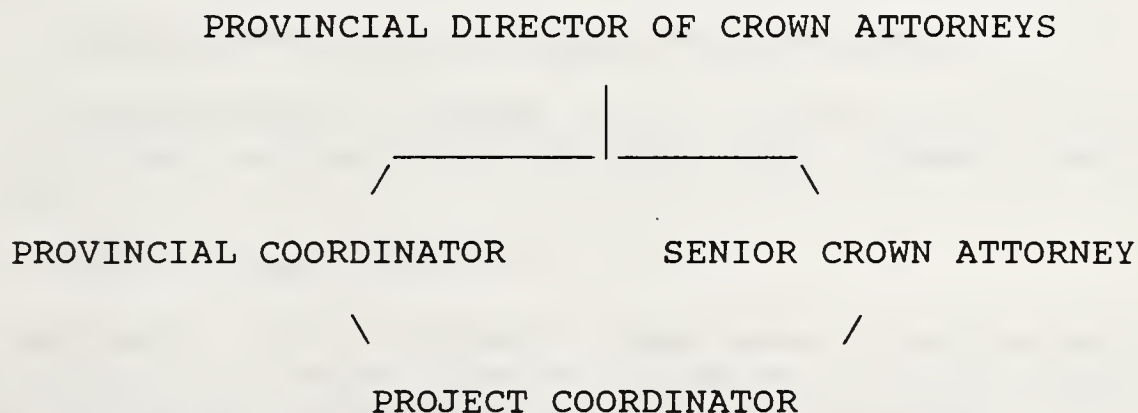
2. Organizational and Administrative Approach

The Victim/Witness Assistance Program is managed by a centrally located Provincial Coordinator, who reports to the Provincial Director of Crown Attorneys.

At individual sites, each Victim/Witness Assistance Program operates under the auspices of the local Crown Attorney's office, and is managed by a Project Coordinator. The Project Coordinator reports directly to the Senior Crown Attorney on everyday matters. Program policy is directed by the Provincial Coordinator. Various administrative matters are also the responsibility of the Provincial Coordinator. To our knowledge, these divisions of responsibility are not clearly specified in any policy or administrative document.

The Program's organizational scheme is presented in Figure 1, below.

Figure 1



The organization of service delivery is under the management, and at the discretion of, the Project Coordinator. It is dependent on the range and availability of local community services, although Project Coordinators are encouraged to become involved in community service development activities.

In some instances, the Project Coordinator has secretarial assistance. Project Coordinators are also responsible for recruiting, training, and supervising a volunteer corps who will provide assistance to witnesses at trial, and if required, provide public information on the criminal justice process.

3. Target Group

According to the Provincial Coordinator, the Victim/witness Assistance Program is available to all victims and witnesses of crime. Project Coordinators are responsible for developing locally appropriate selection criteria. In general, the priority focus of the Program are victims and witnesses who may have experienced an emotional trauma as a result of the criminal incident, and/or who would benefit from special support or guidance through the criminal justice process.

4. Activities

The Project Coordinator, in conjunction with the Senior Crown Attorney and the Provincial Coordinator, is responsible for developing local priorities and activities, and determining the relevant referral processes.

The Project Coordinator's anticipated focus is in three areas:

- direct services to victim and witnesses;
- coordination, liaison, and referral activities with criminal justice agencies and local support services;
and
- public legal education.

Generally, it is intended that more intensive services will be provided to victims than to witnesses, usually reflecting the degree of suffering experienced by the individual and relative to his or her anticipated role in the court process.

The Victim/Witness Assistance Program is a crisis oriented service, not a counselling program. Where possible, victims and witnesses are referred to more appropriate, long-term community resources. Victims and witnesses are also assisted in making any necessary contacts with other criminal justice agencies (such as the police, the Crown, probation, Criminal Injuries Compensation Board).

As the provision of court-based victim services is a new initiative in Ontario communities, the Project Coordinator also assumes responsibilities relating to effective networking with existing agencies, developing public awareness of the needs of victims, and generally promoting the services of the Victim/witness Assistance Program.

E. EXPECTED IMPACTS AND EFFECTS

The program's anticipated impacts and effects can be hypothesized as follows:

- The Program will encourage victims and witnesses to cooperate with the Crown in preparing and prosecuting cases.
- The Program will improve the extent to which victim/witnesses and witnesses are prepared to, and capable of testifying in court.
- The Program will minimize the extent to which victim/witnesses and witnesses are inconvenienced by court appearances.
- The Program will, where appropriate, encourage and facilitate the access of victims and witnesses to community support services.
- Victims and witnesses receiving services from the Program will have a better understanding of the outcome of the criminal justice process.
- Victims and witnesses receiving services from the Program will be more satisfied with their experience, and with the case outcome than those who do not receive such assistance.

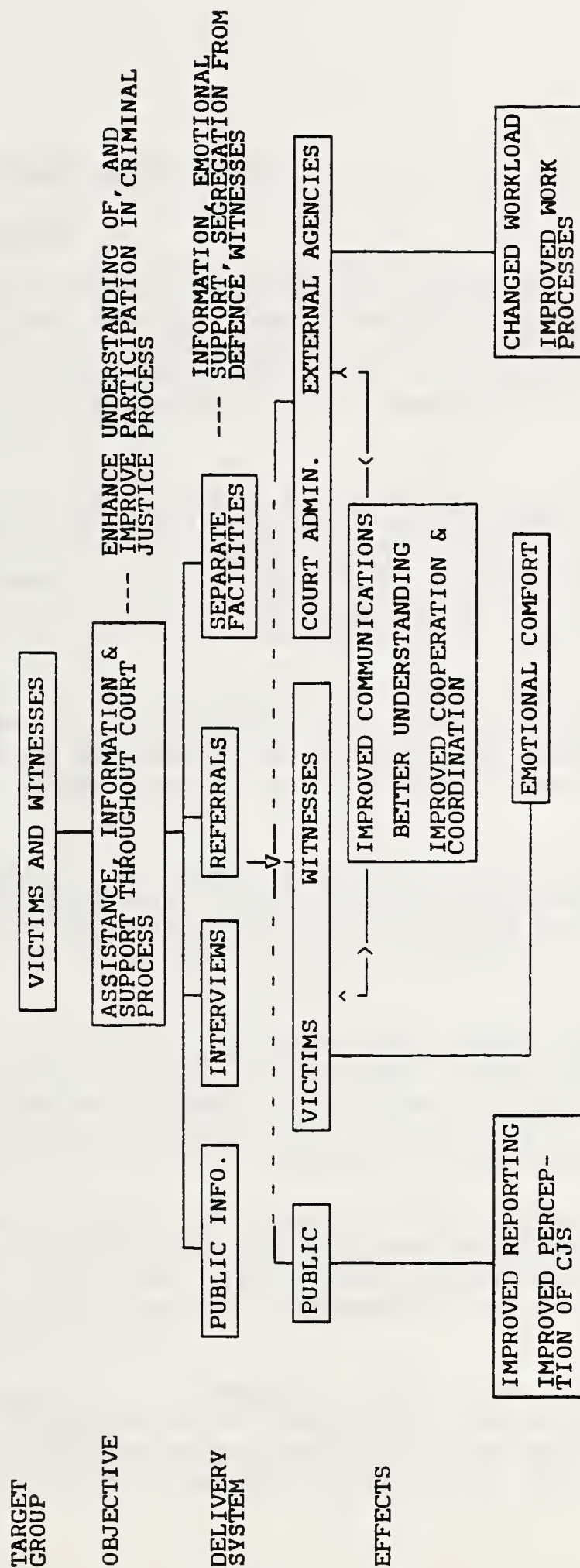
- Victims and witnesses receiving services from the Program will be more likely to report future criminal victimizations, or future witnessing of criminal acts than those who do not receive such assistance.
- Successful Program implementation will lead to changes in functional work processes, procedures, and volume of cases among criminal justice agencies, notably, the police, court administration, and counsel.
- Successful Program implementation will create changes in the work processes, procedures, and volume of cases among community service agencies.
- As the public's awareness of the Program grows, their perception of the criminal justice system will become more positive.

F. PROGRAM MODEL

The linkages among the various components of the Victim/Witness Assistance Program are described in Figure 2. This model has been prepared with the assumption that it should serve as a preliminary working model. We expect that the model will be revised as the future direction of the Program is consolidated.

Figure 2

VICTIM/WITNESS ASSISTANCE PROGRAM PROGRAM MODEL



III. PEMBROKE PROJECT PROFILE

A. PROJECT HISTORY

The Pembroke Victim/Witness Assistance Project is located in Pembroke, Renfrew County, the largest county in Ontario. It provides pre-court assistance to victims, victim/witnesses, and Crown witnesses throughout the county in addition to a court-based volunteer assistance program at the Pembroke and Renfrew criminal court locations.

The Project was formally implemented in April, 1987, replacing a Witness Assistance program which had been operating at this site since 1985/86. The purpose of the latter program, which was staffed by a Masters of Social Work placement student, was to provide assistance to witnesses testifying in court, and to reduce problems associated with the scheduling of witnesses for trials.

Pembroke's Victim/Witness Assistance Project began with a committed orientation to helping victims and witnesses of crime, and was viewed in particular as an approach compatible with other Ministry priorities concerning victims of domestic violence and child abuse.

The Project is staffed by a part-time Project Coordinator, who was the Coordinator of the previous service, and a part-time secretary. The Project Coordinator is also a part-time employee of Family and Child Services which is located in the same office structure.

The first months of operation were spent developing a project description, establishing community resource linkages, and identifying relevant clients. Services to victim/witnesses were introduced relatively early, as a service base and structure had already been laid by the earlier Witness Assistance Program.

Agency networking and community development activities were undertaken to publicize the Project and establish working liaison with agencies. This task was accomplished smoothly, due to the Project Coordinator's strong community ties and familiarity with the local service network.

During August and October, 1987, the Project Coordinator designed and implemented a volunteer component. This involved designing the volunteer program, selecting and recruiting seventeen volunteers, curriculum development and delivery of a training

package, and introducing volunteer services at both Pembroke and Renfrew Court locations. The volunteer program initially began with 17 volunteers, and currently has 14 volunteers ⁽²⁾. The Project has been providing an average 56 hours of volunteer services per month in the October 1987 - January 1988 period, under the direction of a volunteer Coordinator and the Project Coordinator.

Since the introduction of the volunteer component in October, the Project has been operating in accordance with the Provincial Coordinator's general framework for Program operational design.

B. PROJECT GOALS AND OBJECTIVES

1. Project Goals

The general goals of the Pembroke Victim/Witness Assistance Project are stated in its April, 1987 Victim/Witness Service Proposal:

- 1.To reduce the inconvenience and confusion victims and witnesses often experience over the course of a protracted court proceeding.
- 2.To enhance the role of victims and witnesses in criminal proceedings and to reinforce the importance and value of their role in the judicial system.
- 3.To decrease public hesitation and fear about their involvement as witnesses in criminal cases.
- 4.To improve the efficient use of the courts through early notice of case cancellations.
- 5.To advocate on behalf of victims of crime for improved victim services.
- 6.To coordinate community services to victims of crime, and encourage cooperation and consultation among the police, prosecution, social service providers and the medical system.

² Two volunteers accepted full-time jobs, and one volunteer moved from the area.

7.To identify and codify the needs of victims of crime.

8.To enhance the victim's confidence in the criminal justice process and to encourage their effective participation in the criminal justice process.

9.To make educational presentations to community groups in respect to the criminal justice system and the Victim/Witness Assistance Project in Renfrew County in particular.

2. Project Objectives

The Pembroke Court Victim/Witness Service Proposal (April, 1987) states conceptually distinct objectives for the Witness and Victim/Witness components of the project. The objectives of the Witness component are:

1.To provide those victims and witnesses making a court appearance with the most up-to-date information available on a case's status, and to advise and inform these individuals about what will be expected of them before and during their appearance at court.

2.To improve the co-ordination and flow of information between Police Departments in Renfrew County, the Crown Attorney's Office, Defence Counsel and the Courts. To act as a conduit for information between the Crown Attorney, Police Departments, Defence Counsel and the Courts.'

It should be noted that these objectives have only been partially operationalized since the introduction of the volunteer component in October, 1987. This is discussed in further detail under Section 'D. PROJECT DESCRIPTION', below.

The objectives of the Victim Services component are:

1.To identify victims of various crimes and to identify their needs.

2.To provide all identified persons who fit the victim profile of the Crown Attorney's Office, with notice of the Victim Assistance Program.

3.To provide victims with information about the criminal justice system and to provide information to social service systems and/or medical services, or other services as required.

4.To provide appropriate, direct services to victims of crime at the request of the Crown, social agencies, Police Departments, shelter workers, etc.

5.To provide specific information to victims about their role in the criminal justice process, and the role and function of the Crown Attorney.

6.To coordinate with Police Departments, the expedient return of victims' property in cases of property crimes.

7.To provide follow-up services to ensure that appropriate assistance has been provided to the victim.

With the exception of Objective 6, activities and procedures designed to achieve these objectives have been introduced.

C. PROJECT DESCRIPTION

1. Project Structure

The Pembroke Project is based on a 'social planning approach' model (Court Victim/Witness Service Proposal, April, 1987) which emphasizes an integrated, controlled, and professional approach to service planning and delivery.

The Project offers two tiers of services, depending on the needs of the client:

- individualised victim/witness support, assistance prior to, during, and after court proceedings; and

- generalised, court-based witness support and assistance.

This approach stresses the importance of effective, inter-organizational relationships. To this end the Project has attempted to foster a highly integrated operational liaison with criminal justice and external social service agency structures.

For example, the Project Coordinator coordinates monthly 'case-management' meetings which are attended by local service agency representatives and the Crown, to ensure an integrated approach to each client. Two such meetings, one focusing on domestic assault, and another on child abuse, are held monthly.

Presently, the linkages with the local police detachments are not as formalized, although all detachments, and the investigating officers, have been made aware of the Project and use its services.

2. Organizational and Administrative Approach

The Pembroke Project is highly integrated within the Crown Attorney's office structure. The Project Coordinator reports to the Senior Crown Attorney, who is the designated domestic assault specialist, and she has also established a firm working relationship with the Assistant Crown Attorney, who is the designated child abuse specialist.

The Project Coordinator is presently employed on a part-time (One Thousand Hour) Contract with the Ministry of the Attorney General, and is assisted by a part-time secretary. The Project secretary works in concert with the Crown Attorney's secretary to ensure consistency and continuity in administrative approach. Record keeping is a shared Project/Crown activity.

3. Operational Environment

The Pembroke Project is physically housed within the Crown Attorney's office space, located in an office structure which is shared with the provincial Family and Child Services program, and other non-governmental social support services. Pre and post-trial victim/witness interviews are carried out by the Project Coordinator at this site.

Victim/Witness waiting rooms, staffed by volunteers, are located at Pembroke and Renfrew Provincial Courts. The Pembroke Court is located within a fifteen minute walk from the Project office. The Renfrew Court is an approximate 45 minute drive from the Project Office. It is staffed by volunteers from the Renfrew community.

Although there are court facilities at Deep River and Killaloe, it is felt that witness assistance services are not presently justified at these locations, due to the nature of cases

heard at these locations, the relatively low volume, and the impracticality of launching services there under existing resource constraints.

4. Target Group

Pembroke's Victim/Witness Assistance Project is oriented exclusively toward victims of crime and Crown witnesses. Unfortunately, we were not able to obtain data concerning the type and number of potentially eligible clients for this service in any given period. The priority cases are identified below.

a. Victims

As stated earlier, the Pembroke Project has a strong victim orientation, and focuses heavily on crimes against the person. This orientation is fully consistent with the priorities of the Senior Crown Attorney's office.

The priority selection criteria for the Project are:

- victims of domestic assault;
- adult and child victims of sexual assault;
- adult and child victims of physical assault;
- child abuse victims;
- criminally victimized senior citizens;
- primary and secondary victims of serious bodily harm; and,
- secondary victims of crimes which have resulted in the death of the primary victim.

b. Witnesses

The Project does not state explicitly any exclusivity or eligibility criteria for witnesses, however, the Project is geared implicitly to Crown witnesses only. All Crown witnesses testifying at Pembroke and Renfrew court locations are eligible for the court-based assistance service.

It should also be noted that witnesses do not usually receive intensive services from the Project, unless the Project Coordinator has been otherwise directed by the Crown. The Crown may consider factors such as the degree of traumatization experienced by the witness, and his or her expected role in the case.

According to the Provincial Coordinator, defence witnesses are eligible for Project services, as the Victim/Witness Assistance Program is structured as a public service program. Yet, there are ethical, practical, and potentially legal difficulties in developing this dimension of the Program, under the present service structure at Pembroke:

- A Project Coordinator providing services to both Crown and Defence is extremely vulnerable to being perceived as being in conflict of interest which could ultimately jeopardize the integrity of the Project's Services.
- There are practical limitations to service delivery. The Project is located within the Crown office, and it would be difficult for defence witnesses to meet with the Coordinator under those circumstances. This would also increase the possibility of witnesses conferring with each other prior to, or during trial, since presently victims, Crown Witnesses, and defence witnesses would have to share a waiting room at both the Crown's Office and the courts. Uncomfortable, fear-producing situations for the victim - which this Program was supposed to mitigate - could thereby be created.
- Even if the Project Coordinator's position is extended to a full-time posting, we do not believe that the Pembroke Project would have sufficient resources to expand the program in this direction.

We therefore recommend that:

The Ministry of the Attorney General reevaluate whether defence witness should be served by this Program structure, in consideration of the ethical, legal, and practical implications of providing this service under the auspices of a Victim/witness Assistance Program.

The Pembroke Project should not introduce services for defence witnesses until the Ministry of the Attorney General assesses the policy implications, and the

practical feasibility of providing those services within the realm of potentially available resources.

5. Project Scope & Definition

Although the Victim/Witness Assistance Program specifies a court-based focus, the Pembroke Project's operational scope is not clearly defined.

For example, Project Coordinator has become involved, on a limited basis, with victim/witnesses prior to the laying of a charge by the police, and hence prior to the initiation of a court process. In another instance, the Project Coordinator became involved in a case in which a police investigation concluded that there were no legal grounds for laying a charge.

The former cases typically involve incidences in which a charge will be laid, and the police see a particular benefit to having the Project Coordinator involved immediately. For example, in the case of a sexual assault where the alleged offender is known, there may be a significant delay between the incident, locating the alleged offender, and laying the charge. In one such incident, the Project Coordinator was called in to assist the distressed victim and to advise her about the likely course of events. Without her involvement, the victim would have been unattended, as there are no sexual assault crisis services available in Renfrew County. Nonetheless, such involvement is beyond the conceptual bounds of the Victim/Witnesses Assistance Program. If such involvement is offered only exceptionally, it may not create problems for the Program. However, even occasional crisis intervention prior to charge could raise inappropriate police (and other agency) expectations of what the Victim/Witness Project can deliver.

In the latter case, where charges were not laid, the Project Coordinator became involved because it was felt that her superlative communication and comforting skills could assist the police and Crown in explaining to the family of a motor vehicle fatality victim why charges would not be laid. This delicate task is normally the responsibility of the police.

Although the above incidents may seem minor, if they are repeated there are serious implications for the orientation and workload of the Project, and the community's expectations of it. With limited resources, and an already large mandate, the Project

cannot, nor should take on responsibilities which more rest more appropriately with other agencies.

We therefore recommend that:

The Victim/Witness Assistance Program develop, issue and articulate a policy limiting the Project to post-charge intervention.

The Pembroke Project communicate this policy to its criminal justice and social service agency network.

D. OPERATIONAL ACTIVITIES

The operational activities of the Pembroke Project are divided into three interrelated areas: intensive assistance services to victims and Crown witnesses; court-based Crown witnesses services, community networking and liaison, and public education. Each activity is described and assessed below.

1. Intensive Victim/Crown Witness Assistance

The provision of intensive assistance services to victim/witnesses of crimes is the primary activity of the Project Coordinator. The volunteer corps does not participate in this activity.

a. Referral Mechanisms

Potential clients are principally referred to the Project Coordinator by the Crown's Office. The Project secretary and the Crown secretary identify potential clients from the Police brief. In the case of domestic assault and child abuse, a letter is sent by the Crown informing the victim of the charge, and of the services offered by the Victim/Witness Assistance Project.

In some instances, a separate letter is sent by the Project Coordinator to the victim. It is the Crown's practice to interview all victims of domestic violence and child abuse, and usually the victim is introduced to the Project Coordinator at the time of that interview. This referral mechanism between the Crown and the Project Coordinator appears to function well, and generally, such victim/witnesses do become clients of the Project.

The police and other service agencies may also direct potential clients to the Project Coordinator. The office has

available an answering machine to record calls from external agencies when the office is closed. This service is provided to ensure that the Project Coordinator can respond quickly to requests. As noted earlier, referrals from other agencies may involve pre-charge as well as post-charge cases.

Generally, the Project's client intake referral process appears to be working satisfactorily. The Pembroke Project does not maintain a record of how many individuals are contacted, and how many actually respond to the offer of assistance, however the Crown and the Project Coordinator suggest the response rate is very high.

b. Services Provided

Under most circumstances, clients responding to the Victim/Witness Assistance Project are personally interviewed by the Project Coordinator (³). The purpose of this interview is to:

- explain the court process to the client;
- determine the emotional and practical needs of the client relating to the case, and
- provide the Crown Attorney with an assessment of the capability of the client to testify.

On the basis of this interview and consultation with the prosecuting Crown Attorney, a plan for assisting the client throughout the criminal justice processing of the case is developed. This may include:

- a further explanation of courtroom procedures and preparing the client to testify (this usually includes courtroom orientation);
- referrals to community agencies for emotional support and other forms of assistance;

³ In the case of domestic assault and child abuse, it is the practice of the Crown Attorney to interview the victim. The Project Coordinator will interview after this initial Crown interview.

- liaison with the court and the police concerning further developments in the case;
- where required, ensuring that adequate arrangements are in place to have the client accompanied at court.

It should be noted that it is not the practice of the Pembroke Project personnel to attend court with the victim, unless so requested by the Crown. The client is assisted only outside the courtroom, in a separate waiting room, by the Project volunteer on duty. The role of the volunteer is related exclusively to coordinating the victim/witness's courtroom appearance, answering any concerns the client may have about courtroom procedures, and providing emotional support. Clients may be escorted to the courtroom, but they are not attended during their time testifying before the court.

Although client accompaniment throughout the court process is a Program objective, at this point in time the Pembroke Project Coordinator does not have sufficient resources available to initiate this service on a routine basis. Moreover, in priority cases (domestic assault and child abuse) the client may be accompanied by other, external agency personnel (such as shelter workers, counsellors, and so forth), and it is felt there is no need to duplicate an existing service. We agree with this assessment, however the need for this service should be reassessed particularly if the Project expands its client base.

Upon completion of the trial, the client is informed of the disposition. In the case of domestic assault, the Crown Attorney also advises the client in writing. In most instances, the Project Coordinator will also contact the client to ensure that any post-trial concerns are channelled appropriately. Although the case is effectively closed at this point, an 'open-line' is extended to the client, should victimization reoccur.

c. Caseload

An accurate, cumulative record of the number of clients receiving intensive assistance from the Project is not available, as the monthly number of cases opened, closed, and continuing is not recorded. An analysis of the number of cases 'open on file' from July 1987 to January 1988 suggests that on average, 31 domestic assault cases, and 42 child abuse cases are dealt with on a monthly basis. A summary record of the number of clients

receiving intensive assistance from the approximately 276 "other" cases on file from October 1987 to January 1988 is not available.

According to available project data, from July 1987 to January, 1988, the Project Coordinator conducted 142 victim/witness personal interviews, or, on average, 20 personal interviews per month ⁽⁴⁾. Family and friends of the victim are from time to time also interviewed, however there we have no reliable data to report on this activity.

d. Case Management and Review Process

All cases on file are reviewed routinely by the Project Coordinator and the resident Crown Attorneys. All files are jointly reviewed on a monthly basis. In addition, a high degree of informal contact among the Crown Attorneys and the Project Coordinator helps to ensure that all parties are briefed on the latest developments pertaining to a case.

In the case of domestic violence a formalized review process has also been established which involves community agencies. The "Community Domestic Assault Review Group" meets monthly to review status of all domestic assault cases on the Crown's files. The review group consists of the Project Coordinator, the Crown, representatives of the County's two shelters, community counselling services, and public health workers. The purpose of this review process is to ensure that appropriate and integrated measures are taken by all agencies involved.

A similar structure has also been established for child abuse cases. Moreover, the "Child Abuse Review Group" also meets monthly to review all child abuse cases on the Crown's file to determine the needs of child victim/witnesses, and to plan assistance strategies. It consists of the Crown Child Abuse Specialist, the Project Coordinator, the Executive Director of the Pembroke Family and Children's Services and senior members of its staff.

The review mechanisms are regarded favourably by all participants. The general consensus is that the review process

⁴ These may include both primary and secondary victims of crime. As some victim/witnesses may be interviewed more than once, the number does not represent the project coordinator's actual client case load.

permits a coordinated and informed approach by all involved. Agencies feel two direct benefits of the process: accurate information on the case status, which can be conveyed to the victim, and a chance to advocate their client's position and wishes with regard to the criminal justice process. The Crown Attorneys perceive that the information communicated at these meetings enhances the quality of their work in trial preparation.

In addition to the case brief, the Crown Attorney and the Project Coordinator have conjunctively developed a computerized case log, using the PC-File III (version 4.0) software. The log contains brief notations about each case, including:

- particulars of the victim (name, address, city, telephone, dob, sex);
- particulars of the accused (name, charge, offence date);
- charge and current charge;
- case status (intake date, most recent action taken by the Project, next court date); and
- name of the investigating officer and associated police force.

This system was introduced in the fall, however, according to the Project Coordinator, it only became fully operational in January. This is not, however, without problems. As the Project has limited staff and limited access time to the computer, system data usually lag behind the actual case status. The report generation features of the data base, although limited in application, are not being used, as staff have not received sufficient training on the system's capabilities. Furthermore, we believe that the objectives of record keeping for both case management and record keeping management should be clarified.

We believe that the Pembroke Project and the Crown Attorney's office could streamline its case management and statistical information requirements if it were provided with a more flexible and more powerful software package. Project staff also require sufficient training in the system's capabilities, and adequate time to input and manage data. For example, with a more powerful data base software package, additional information fields could be added to each case record, to historically record each action

taken, and to develop a record-keeping system for case closures. Currently, closed cases are simply deleted from the data base.

Moreover, operational case management information requirements and the Victim/Witness Assistance Program's requirements for Project summary statistical data, should be integrated within one data base structure.

We therefore recommend that:

The Provincial Coordinator develop a standardized information collection and data management system for the Program.

The Pembroke Project be provided with technical assistance in redesigning its information collection processes and systems and with training in computerized data collection procedures. This would include the acquisition of a more powerful software package which, ideally could be eventually implemented at all Project sites.

2. Court-Based Volunteer Witness Assistance Services

From July 1987 to January 1988, the Project Coordinator has spent approximately 142 hours designing the volunteer program, developing and delivering a training component, and supervising volunteers. She has been assisted by a volunteer "Volunteer Coordinator" who manages the volunteer scheduling.

Court-based witness assistance services are provided by a core of 14 volunteers. This dimension of the Project has been operational at Pembroke and Renfrew Court locations since September, 1987. There are no plans to introduce services at Killaloe and Deep River Court locations.

The Project Coordinator has developed and documented a structured recruitment and selection process. Volunteers have been selected primarily from a pool of individuals referred by other community agencies, such as shelters, who had demonstrated skills in a volunteer capacity.

The Crown's office informs all of its subpoenaed witnesses about the Project's services. In conjunction with the police, there is an effort to ensure that all witnesses receive a copy of the Ministry's booklet, titled, "Being a Witness".

The primary tasks of the volunteers are to:

- supervise the private court-room waiting area for Crown witnesses;
- coordinate the witnesses courtroom appearance;
- provide information to the witness about courtroom procedures; and
- explain procedures for the payment of witness fees.

a. Objectives of the Volunteer Component

We note that the Pembroke Project volunteer component is not fully consistent with all prescribed Program objectives in this area. The Pembroke Project does not intend to accompany witnesses during the time they spend testifying in court. The Project Coordinator does not feel that the Project's resources could support this time-intensive activity. Moreover, it is her opinion that if victim/witnesses have been thoroughly prepared prior to their appearance, this service is unnecessary.

We agree that, at this time in the Project's life-cycle, it does not have sufficient volunteer resources or supervisory time available to implement this objective.

However, while we are empathetic to the Project Coordinator's claim that there are more benefits to be gained from intensifying preparatory services than introducing this new practice, the underlying question is whether assistance to witnesses and ultimately Program integrity are jeopardized by the omission of this service. Because the Pembroke Project demonstrates a strong and well integrated preparatory assistance to victim/witnesses, and because domestic assault and child abuse victim/witnesses are likely to be accompanied by external agency personnel, we suspect that the impact upon service quality is minimal. Courtroom observations, however, would be required to test our hypothesis. The absence of this service at Pembroke, over the long term, does represent a fundamental deviation from the philosophical and symbolic orientation of the Program and its intended impact on the administration of justice.

In consideration of current operational restraints, we therefore recommend that:

The Ministry of the Attorney General clarify its requirements for the accompaniment dimension of the Program and, if deemed an essential Program activity, ensure that each Project has sufficient resources to supervise and carry out this proscribed mandate.

In the interim, the Pembroke Project be exempted from this objective, until sufficient resources - primarily volunteer and supervisory - are made available to extend the Project in this area.

b. Volunteer Activities

From October 1987 to January 1988, the Volunteer Component has provided, on average, 56 hours of services per month.

Prior to the initiation of the services, all volunteers underwent a two-day training period. At that training session, volunteers were trained in the following areas:

- objectives of the project;
- victim-related issues, with an additional focus on domestic assault and child abuse victimization;
- court procedures; and
- role of the volunteer in providing victim assistance.

We note that all of the Project volunteers are female. We understand that only female volunteers were selected because it was viewed their assistance would more likely be accepted by the predominantly female domestic assault and child abuse clients of the Project. While this rationale may be realistic for the needs of this client group, the Project's services do extend to other victim/witness categories which do not explicitly pose a gender issue. Moreover, the categorical exclusion of male volunteers is not consistent with human rights considerations in Canada.

We therefore recommend that:

The Victim/Witness Assistance Program direct the Pembroke Project to open volunteer recruitment to males, providing that they hold the requisite skills, and can be appropriately matched with the Project's clientele.

The Project Coordinator has developed a set of procedures for volunteers to follow when conducting pre-trial courtroom orientation. Volunteers have also been briefed on courtroom terminology and procedures. They have also been coached on communication techniques to apply when comforting victims. Volunteers have been explicitly instructed to avoid discussing evidentiary matters or other particulars of the case with the witness. All volunteers are also required to sign an "oath of confidentiality".

In addition, the Project Coordinator has compiled a compendium of resource material for volunteers to consult concerning victim-related issues, and they are encouraged to familiarize themselves with the issues.

The volunteer component of the Project has been successfully implemented in both court locations, and there are no major operational concerns at this time. Careful planning and monitoring by the Project Coordinator has resulted in the smooth integration of the volunteer component at both locations. The volunteers have successfully demonstrated their capabilities and understand their role in court procedure. As a consequence, their services are regarded as satisfactory by court and other criminal justice personnel.

3. Public/Legal Education

The Project Coordinator has also undertaken significant work in the area of public/legal education. This has included numerous presentations to local community service agencies, such as shelters, family and children services, police departments, municipal councils, and local committee work. The Project Coordinator was also instrumental in designing, coordinating, and implementing a three-day seminar on child abuse for local community services and the police.

From July, 1987 to January 1988, this represents approximately 173 hours of the Project Coordinator's time (on average 25 hours per month). From April 1987 to July 1987, the Project Coordinator was also involved in numerous public/legal education activities to promote the Victim/Witness Assistance Project, however, there are no figures available on the extent of this activity.

While these activities represent a considerable drain on the Project Coordinator's resources, it has resulted in significant benefits. Service agencies are generally well informed about the

Project, and effective inter-agency referral mechanisms and protocols have been established. All of the service agencies consulted perceive that their relationship with the Crown Attorney's office and their understanding of the criminal justice process has improved as a result of this activity.

Our consultations with the representatives of the Pembroke and OPP police suggest, however, that more educational activity should be directed toward police officers. As there are serious constraints on the Project Coordinator's availability to conduct training sessions,

We recommend that:

The Ministry of the Attorney General provide the Pembroke Project with resources to produce an educational video on the Project's services. Copies of this video should be distributed to local police detachments and other service agencies for educational and training purposes.

IV. PARTICIPATING CLIENT PROFILE

A. ELIGIBLE CLIENTS

In the case of the Pembroke Project, there are two levels of eligible clients: victim/witnesses and Crown witnesses. As stated earlier, the main emphasis is on victim/witnesses.

The number of potentially eligible clients varies from month to month, depending on the nature of the case under prosecution and the nature and degree of suffering experienced by those involved.

We could not establish the number or scope of potentially eligible clients for the Project, as records are not maintained on the number of persons screened and/or contacted by the Project. Therefore, we cannot comment on the effectiveness of the screening and contact procedures, nor indicate whether the Project is successfully selecting all relevant clients.

Accurate data on clients are required to help the Project develop appropriate means of contacting clients, to assist the planning and management of Project activities, and to facilitate a future evaluation of the Program.

We therefore recommend that:

The Program Coordinator direct Victim/Witness Assistance Project Coordinators to maintain accurate records of the number and characteristics of individuals contacted by the Project, and the number and characteristics of individuals responding to the offer of services.

B. DEMOGRAPHIC AND VICTIMIZATION PROFILE OF CLIENTS

The following description applies only to open files of victims or victim/witnesses who received intensive assistance from the Project in January. We believe it represents a typical month of Project caseload operation.

It is derived from the January computerized caseload record only, as the Pembroke Project has neither completed nor maintained the Program Client Intake Record consistently. Pre-January computerized data were not accessed, due to reliability problems.

We note that the Pembroke Project does not maintain detailed records of Crown witnesses participating in the Project. A Crown witness profile, therefore, cannot be presented.

In January, 1988, the Pembroke Project had a total of 192 case clients on open file. The victimization profile is presented in Table 1.

Table 1

Case Victimization Profile of Pembroke Project Clients (⁵)

| <u>Case Victimization</u> | <u>Number</u> | <u>%</u> |
|---------------------------|---------------|----------|
| <u>of Cases</u> | | |
| Domestic violence | 39 | 21.0 |
| Child Abuse | 38 | 20.4 |
| Assault (Common) | 74 | 39.7 |
| Sexual Assault | 6 | 3.2 |
| Threats/Harassment | 7 | 3.8 |
| Murder | 1 | 0.5 |
| Other | 21 | 11.3 |
| Total..... | 186 | 100 |

Of all victimizations where sex of the victim was recorded, 98 (53.2%) were female; 86 (47.8%) were male (total known victims = 192; 8 cases sex not recorded). Females were the exclusive victims in domestic and sexual assault cases. They were also the primary victims of child abuse (58% of recorded cases).

⁵ In most instances, we were unable to access sufficient detail about the number or characteristics of all clients in cases involving multiple victimizations. Multiple victimizations are therefore generally excluded from this table.

Males were the primary victim in common assault cases (74.3% of recorded cases). Forty-three (22.5%) of all 191 recorded victims were children under age 18.

Of the 186 cases recorded, 172 (92.4%) of the accused were males and 14 (7.6%) of the accused were females.

Of the 149 cases where information on victim residence could be retrieved, approximately 40% were from Pembroke or Renfrew; 48% were from small towns or rural areas within Renfrew County, and approximately 12% were from urban areas outside the county.

Additional information on the priority categories of domestic assault, child abuse, and common assault was retrievable, and is presented below.

1. Victims of Domestic Violence

All 39 victims of domestic violence were female, and all 39 accused were male. In 36 of the cases, the women were involved in spousal relationship with the accused. Of these, 19 (52.8%) were involved in marital relationships, and 17 (47.2%) were involved in common-law relationships. In 2 cases, the relationship with the accused was not stated, and in one case, the victim was the girlfriend of the accused ⁽⁶⁾.

2. Victims of Child Abuse

Thirty-eight (38) cases of child abuse victimizations were recorded by the Pembroke Project in January. Four (4) of these cases involved more than one victim, bringing the total client number to approximately 43. Of these, 25 (58.1%) were female and 11 (25.6%) were male (7 [27%] unknown). The victims ranged in age from 1 to 17; the average age was 8.6 (5 missing cases).

Of the thirty-eight cases, 33 involved sexual abuse of the victim, 4 involved assaults, and 1 involved an abduction.

⁶ Although this latter case is included in the Project record as a domestic violence incident, we were not able to establish the living arrangement with the accused to confirm this. It should be noted that we have recommended to the forms design team that clear definitions of Project categorizations be consistently implemented across all projects.

In all cases, the accused was male. In 24 instances, the accused were family members (fathers, stepfathers and uncles). Five (5) incidents were allegedly perpetrated by babysitters. Six (6) incidents involved an acquaintance or neighbour, and 1 incident involved a stranger.

3. Victims of Assault

In the seventy-four cases of assault recorded on the Project records, 55 (74.3%) of the victims were male and 19 (25.7%) of the victims were female.

Sixty-four (64, 86.5%) of the accused were male, and 10 (13.5%) were female. Of the female victimizations, 14 (73.5%) were victimized by males, and 5 (26.3%) were victimized by females.

C. SERVICES OFFERED AND ACCESSED

1. Victims and Victim/witnesses

The kinds of services offered to clients, and accessed by them, depends on a number of individualized factors. This includes an assessment of the

- type and nature of the victimization;
- degree of suffering experienced by the client;
- client's relationship to the accused;
- existing support network for the client; and,
- the client's knowledge of, and prior experience with the criminal justice system

and any other relevant situational and emotional factors.

To date, the Project Coordinator has focused on providing intensive services to domestic violence and child abuse victims. Although quantifiable information on services offered to, and accessed by these two client groups is not retrievable, it seems clear from our interviews with Project officials, community officials, and clients, that a routinized pattern has developed.

Generally, clients are being provided accurate and up-to-date information on the case. Court procedures and protocol are being explained to clients, and both of the Crowns and the Project Coordinator are highly sensitized to dealing with the additional emotional experiences of clients once a court procedure has been introduced. Liaison mechanisms with external support agencies are working effectively, to yield a comprehensive service.

Emotional support is a major component of the kind of service offered - and gratefully accepted - by the client. While the line between the provision of emotional support and counselling may from time to time become blurred, we are confident that the Pembroke Project is successfully distinguishing between the two kinds of activities. Where counselling would be helpful, we sense that the Project Coordinator is making appropriate referrals to local agencies.

Courtroom preparation is a particularly sensitive activity in which the Project Coordinator is involved. In the area of domestic assault, the Project Coordinator works in close alignment with the Crown to mentally and emotionally prepare the victim/witness to testify. In the case of child victim/witnesses, the Project Coordinator not only spends significant time with the child, but also with a parent or guardian. Generally, the Project Coordinator has made every effort to ensure that the Project functions in a coordinated and cooperative spirit.

Victims of common assault are not offered as a routinized service. There are two reasons for this. Domestic violence, child abuse, and sexual assault victims are higher on the priority hierarchy and the significant volume of these cases consumes most of the Project Coordinator's available resources.

The Project Coordinator, acting under the explicit direction of the Crown, has clearly opted for quality service, not quantity processing.

D. CLIENT NEEDS

It would appear that, in general, the needs of the current priority client group are being attended to satisfactorily.

We do have, however, two areas of concern, which are not attributable to the Project, but certainly impact upon its ability to ensure that victim needs are met.

Our first concern is that of rural clients. Renfrew County is a geographically and demographically diverse entity, which may impose logistical difficulties in providing adequate service to this group. Because Project data is not sufficiently detailed, we cannot determine whether the service use pattern for this groups varies significantly from that of the urban group. We suspect, however, that it does. A number of criminal justice officials and service agency personnel with whom we spoke, in addition to the Project Coordinator and local Crown Attorneys, suggested that rural victims of crime in Renfrew County experience additional difficulties as a result of their isolation. In some cases, they also encounter practical difficulties in getting themselves to the Project. As other Ontario reports have suggested, these problems may be particularly acute for rural women (⁷).

We therefore recommend that:

The Ministry of the Attorney General undertake an assessment of the needs of rural victims of crime who are involved in court proceedings. A second phase of this study would examine complementary, or alternative modes of service delivery to this unique client group.

Clients who are located outside of the County also present special problems. In these instances, it is only practical for the Project Coordinator to refer the client to other local resources. This has resulted in some useful networking and information exchanges among the Coordinators of the 10 pilot sites. This networking is important, and should be continued or enhanced under any further Program expansion.

The absence of certain support services within Renfrew County has also posed limitations in how successful the Project is meeting client needs. The absence of a specific support service for victims of sexual assault within Renfrew County has proven problematic. The absence of this service has placed an additional burden on the Project Coordinator, who, in its absence has assumed a more intensive role in providing emotional support and crisis counselling to sexual assault victims.

⁷ ARA Consultants (1985). Wife battering among rural, native and immigrant women. Toronto: Ontario Provincial Secretariat for Justice.

We note that the Project Coordinator has referred, in at least one instance, a sexual assault victim to services available in Ottawa, and made arrangements for the victim to attend sessions at that location. The Project Coordinator has joined in with local community groups to catalyze the introduction of such a service to the County.

V. PROJECT IMPACTS AND EFFECTS

A. ON CLIENTS

To gauge the effect of the Project on participating clients, we interviewed ten victim/witnesses clients who had received intensive services from the Project Coordinator. This included:

- 3 female domestic assault victim/witnesses of completed court cases;
- 2 female sexual assault victim/witnesses of completed court cases;
- the guardian of a male child sexual assault victim/witness in a case pending trial;
- 1 female teen-aged sexual assault victim/witness;
- 1 male secondary victim/witness of a murder pending trial; and
- the guardian and male child victim/witness of a physical assault case pending trial.

We also asked all relevant agency officials we interviewed to comment on their perception of the effect of the Project on clients. This information, together with the client interviews has yielded a consistent picture of the effect of the Project on clients. While we caution that the sample selection was not done on a random basis, we are nonetheless impressed by the positive image which the Project appears to be generating.

All of the clients interviewed had a very clear idea of the objectives of the Project, and expressed a high level of satisfaction with the assistance they had received.

In general, the interviewees indicated that they felt more self-assured, better informed, and less fearful about going to court than they would have been without the Project's assistance. The supportive role which the Project Coordinator played in domestic assault is worthy of mention: all three interviewees stated, without prompting, that without the Project, they would not have had the strength to have carried through the trial. These statements underscore the complementary role which the Pembroke

Project plays to the Crown's policy of proceeding with charging in domestic assault cases.

Social agency and local police personnel interviewed also supported the view that victim/witnesses feel empowered by the support they receive. They are less fearful of court procedures and show a better understanding of the strengths and weaknesses of the criminal justice system.

According to the only judge we consulted, the Project has not had any perceptible impact upon the manner in which victim/witnesses testify. As the Pembroke Project is focused on internal processes - emotional comfort, knowledge and information- it could be expected that no perceptible differences in victim/witness composure or testimony would be readily observed. This may be unlike other site Projects, where victim/witnesses are accompanied in the Courtroom and a visible impact is registered. The Crown Attorneys, who are more tuned to the victim/witnesses emotional condition, however, do suggest that the Project has improved the quality of victim/witness testimony.

B. ON CROWN ATTORNEYS

The Pembroke Project has significantly altered the work processes and workload within the Crown Attorney's office, and that of prosecuting attorney's themselves. We note, however, that these changes are not exclusively attributable to the introduction of the Project. The implementation of the Ministry of the Attorney General's policy on domestic violence, and the implementation of Bill C-15, have, and will continue to impact upon the nature and volume of prosecutions in Project priority areas.

The Project's impact upon work processes is primarily within the area of trial preparation. While prior to the introduction of the Project it was the policy of this Crown Attorney's office to interview victims of domestic violence, and other victims or witnesses requiring special attention, the responsibility for this activity is now shared with the Project Coordinator. Victims and witnesses are now interviewed more routinely, more thoroughly, and with greater consideration for their emotional and informational needs throughout the progress of the court procedure.

The Pembroke office Crown Attorneys, and two 'per diem' Crown Attorneys with whom we spoke felt that their communication with the victim/witness was more effective as a result of the Project.

It is clearly evident that the introduction of Victim/Witness services has changed the workload of the office Crown Attorneys: monthly case meetings and daily consultation with the Victim/witness Project Coordinator has also increased the overall workload of both Crown Attorneys. We note that this increase is difficult to measure as there are no baseline data from which a measurement could be taken and the increase in workload is also intertwined with the recent policy changes regarding domestic assault and child abuse.

According to the Senior Crown Attorney, the benefits of the Project far outweigh the "costs" of providing this service. The Project has created a different order of service and image of the Crown Attorney's office.

C. ON POLICE

The Police representatives interviewed appear to hold an accurate understanding of the objectives of the Project, and regard it as valuable referral resource for investigating officers. The representatives perceive the Project as complementary to the investigating officer's role. They suggested that the Project has had a qualitative impact upon the work processes of investigating officers, as their knowledge of the Project's mandate and use of its services has increased. Officers are beginning to rely on Project staff to fulfill the otherwise neglected task of providing victim/witnesses with up-to-date information and support.

All of the representatives with whom we spoke felt that the Project was improving the capabilities of the victim/witnesses to testify. All were hopeful that the Project would ultimately result in greater community cooperation in reporting crime.

D. ON DEFENCE COUNSEL

In so far as we have observed, the Project has had minimal impact upon defence counsel. This is undoubtedly due to the local perception that this is a Crown Attorney's project.

As noted earlier, we do not believe that the Pembroke Project should expand to incorporate defence witnesses, until such time that the Program's objectives in this area are clarified, and resources permit such activity.

E. ON OTHER COMMUNITY RESOURCES

1. Shelters

The representatives of two Renfrew County shelters have a clear understanding of the Project's local objectives, and support its activities.

The Project has had a beneficial impact upon its service delivery in two ways. First, they feel it has greatly increased their staff's knowledge of criminal justice processing. Enhanced communication with the Crown's Attorney's office has helped to foster a team work approach, rather than an adversarial relationship between the shelters representatives and officials of the criminal justice system.

Secondly, knowing that their clients will receive pre-trial preparation and support has relieved some of the pressure on them to act as advocates for their clients. While they clearly do not see the Project supplanting their advocacy role for abused women, they now rely on the support which the Project offers their clients.

Both representatives suggest that the Project has an integral role to play in raising awareness about the issue of domestic assault. Moreover, they feel that as the support network for abused women in Renfrew County is strengthened, more women will be willing to report domestic abuse. This is a possible long-term, cumulative effect of Project and other community-based initiatives designed to reduce domestic assault.

2. Child and Family Services

Child and Family Services representatives indicated that the Project's major contribution is the emotional support and information it provides victims and witnesses.

In addition, they see the Project as a necessary link in the implementation of Bill C-15's amendments to the Criminal Code and the Canada Evidence Act. The Project has proven very helpful in educating child protection staff in criminal justice procedures and understanding the implications of Bill C-15. .

The Project has significantly altered the relationship of service agencies to the Crown Attorney's office. The introduction of this service is perceived as an earnest validation of victims'

needs by the Crown Attorney's office, and full recognition of the need for team work in social and criminal justice problem solving.

3. Other Service Agencies

The mental health agencies representatives interviewed expressed similar views to those described above.

VI. OPERATIONAL ISSUES

At this stage in the development of the Pembroke Project, an evaluation of the implementation process itself will prove valuable to improving the delivery structure of this Project, and in providing more structure to the Victim/witness Assistance Program generally.

One consideration stressed by the Crown Attorneys and the Project Coordinator was the need for more Program planning and technical assistance during the early phases of implementation. Successful implementation of a Project of this scope requires well-defined roles, responsibilities, and activities. Specific areas which require immediate attention are discussed separately, below.

Program development and enhancement is presented separately in our report titled, "The Victim/Witness Assistance Program-Recommendations for Future Program Development".

A. LINES OF AUTHORITY

The lines of authority between the Victim/Witness Assistance Program, the Senior Crown Attorney, and the Project Coordinator are unclear. We note that while the Senior Crown Attorney has implemented a Project in Renfrew County, which is successfully reflecting the goals of the Victim/Witness Assistance Program, the scope of his directional powers has not been defined. To date, no serious conflicts in objectives have emerged among the Program Coordinator, Senior Crown Attorney, and the Project Coordinator. Nonetheless, explicit clarification of the powers and responsibilities of both officials with regard to the Victim/Witness Assistance Project is required.

We therefore recommend that:

The Ministry of the Attorney General clarify the lines of authority, powers and responsibilities of all levels of the Victim/Witness Assistance Program in relation to the Crown Attorney's Office, and articulate these relationships to all staff concerned.

B. PROJECT FEEDBACK AND INFORMATION FLOW

The Pembroke Project would benefit from more feedback on its service operation from the Program Coordinator. The Pembroke

Project has submitted monthly reporting data to the Program Coordinator, yet there is no routine mechanism for feedback to the Project Coordinator or the Senior Crown Attorney. The Program staff conducted a brief on-site visit in September, 1987. Apart from that, the Pembroke Project personnel feel they have received little direction, validation, or assistance from the Program Coordinator's office in mapping its objectives or activities.

As a consequence, neither the Project Coordinator nor the Senior Crown feel they are fully aware of what is expected of them by the Program Coordinator, or whether they are in fact meeting the expectations for the Program. While we appreciate that this Project was promoted as a local initiative in terms of the services it would provide, more input on the overall direction of the Project should be provided by the Program Coordinator's office. For example, in comparing the Pembroke Projects objectives and activities with the Program objectives, in so far as they are defined, it can be argued that the Pembroke Project over-emphasizes certain components (in particular victim services) over other Program components (for example, services for defence witnesses, victims of property crime). This policy orientation should be monitored closely by the Program Coordinator. If it is found acceptable, the Project Coordinator should revise the Project description accordingly.

Developmental Projects of this nature require careful monitoring throughout the implementation process, to ensure that they stay on track. Effective Program management - and effective local Project management - cannot take place without routine feedback mechanisms and direction.

We therefore recommend that:

The Program Coordinator design and formalize regular reporting and feedback mechanisms among the Program Coordinator and the respective Project Coordinators. This should also involve Senior Crown Attorney input.

The Pembroke Project's policy orientation and Project description be reviewed by the Program Coordinator on a regular basis, and amended by the Project Coordinator, as required.

C. PROCESSING DATA AND CLIENT RECORD KEEPING

The client record keeping procedures of the Pembroke Project are woefully inadequate for Project management purposes. As noted earlier, the lack of data, inconsistencies in record-keeping and conflicting statistics have also hampered our ability as evaluators to document and assess this Project.

Data collection errors, which were detectable early in the Project's development, have not been corrected. This omission not only impacts upon Project development, but also hampers any assessment of Project development, and hence planning for future Project activity.

Given the many pressures and constraints on the Project Coordinator's time, an effort must be made to streamline the onerous task of data collection. Caseload data and monthly summary data should be linked. Client utilization statistics of the victim/witness waiting room should be kept. Explicit information recording instructions should be developed. Where possible, this information should be computerized in a format conducive to monthly report generation.

We therefore recommend:

A complete review of the Program data collection rationale and procedures be conducted, with the view of operationalizing a standardized data collection procedure and report generation system, among all Project sites.

D. SCHEDULING AND PROCESSING TIME

The Project Coordinator does not maintain a client scheduling/processing case log, which would permit us to historically analyze and comment on the operational efficiency with which each case has been handled. The computerized log currently used at Pembroke maintains a record of only the last action on a case. A more complete Project log would assist the Project Coordinator in keeping track of the status of individual cases and in keeping a record of monthly caseload statistics. Such data would provide valuable feedback to the Project Coordinator for planning purposes.

We therefore recommend that:

The Program Coordinator, in conjunction with the Project Coordinators, develop and implement a standardized Project scheduling/processing log for the Victim/Witness Assistance Project Coordinators at all sites.

E. RESOURCES

The objectives of the Victim/witness Assistance Program are over-ambitious for the level of resources currently available for implementation. In any given week, the Project Coordinator at Pembroke works many hours in excess of those for which she is paid. For example, in January, 1988, she logged 130 hours, well in excess of the 83.3 hours required. Transforming her position to full-time will partially relieve the client interview scheduling and workload difficulties which have been encountered; but she also needs to allocate a proportion of her time to external agency liaison, Project promotional and training activities - activities which currently are undertaken outside of her usual working hours.

Any additional expansion of the Project's services, cannot be accommodated unless resources are increased substantially. Indeed, we do not feel that the Project Coordinator will be able to carry the current caseload unless more Project resources are allocated. Yet, we lack sufficient data on the Project's workload to accurately project the level of resources required.

We therefore recommend that:

The Ministry of the Attorney General conduct a thorough review of the Victim/Witness Assistance Program resource level.

As an immediate measure, that the Project Coordinator's position be made full-time.

A comprehensive time study of her activities be undertaken, before any additional services or duties are introduced.

The feasibility of expanding the utilization of volunteers be examined.

We do not exclude the possibility that increases in financial resources are required to expand the Project further; but this possibility can only be explored once the objectives, scope, and parameters of the overall Program are more closely defined.

F. FACILITIES

Generally, the facilities available to the Project are satisfactory. The integration of the Crown Attorney and Project Coordinator's office and office system under one structure is operating successfully, and, in our opinion, is essential to the smooth operation of the Project.

The court-based waiting facilities are adequate for present client levels. The improvement required is the provision of a telephone for the Renfrew waiting room.

VII. PROJECT DEVELOPMENT

Efficient operation of the Pembroke Victim/Witness Assistance Project is contingent upon the articulation a clear mandate for the Program generally, and the development of local objectives, procedures, activities and technical support to make it happen. Our recommendations for Program development are contained in a separate report, titled "The Victim/Witness Assistance Program-Recommendations for Future Program Development".

Future development of the Pembroke Project will require a re-evaluation of the Project's focus and scope, in line with the Program's mandate. In short, the Project description should be revised in accordance with achievable objectives, a realistic target group and plausible activities, within the scope of available resources.

Policy guidance and feedback from the Provincial Coordinator requires strengthening. Record-keeping procedures also require significant improvement.

On-going monitoring procedures need to be introduced. Two aspects of the Program require monitoring at the Project level: its success in providing quality victim/witness assistance, and its operational efficiency.

The first aspect is the subject of a long-term evaluation. It is, however, necessary for the Project to maintain adequate records to facilitate such an evaluation. The numbers and characteristics of all Project clients, at all levels of service, the nature and quality of the services provided, and the degree to which the Project is integrated with local criminal justice and external agency resources, are key indicators of its success. Quantitative and qualitative monitoring of the Project, is therefore essential.

The second aspect - operational data - should be monitored at the Project level, to facilitate the Project Coordinator's operational planning, and it should also be monitored at the Program level. This is especially important in keeping adequate managerial control over the training, supervision, and utilization of the volunteer corps.

VIII. ACHIEVEMENT OF OBJECTIVES

A. PROGRAM OBJECTIVES

The Victim/Witness Assistance Program was created with the view of providing emotional support and case information to victims and witnesses of crimes who are required to participate in the court process. It represents one direct component in a general strategy of the Ministry of the Attorney General to provide more effective support for victims and witnesses of crime.

We have only preliminary - and in some respects, incomplete - data on the capabilities of the Pembroke Project to contribute to this overall Ministry objective.

Our findings indicate that the Project is achieving its local objectives very effectively in the priority areas of domestic assault and child abuse. The Project Coordinator has very strong skills in dealing with these cases and demonstrates a high commitment to providing a quality service.

The court-based victim/witness assistance waiting rooms at Pembroke and Renfrew court locations are also proving an effective means of providing generalized assistance for Crown victim/witnesses. In the absence of adequate case flow data through this aspect of the Project, we cannot comment further on the operational efficiency of this component. We cannot comment on whether the Project is reducing the inconvenience victim/witnesses have experienced when participating in court proceedings in the past. We do note, however, that all criminal justice officials, external agency representatives, and clients with whom we spoke, rated this service highly.

We can conclude, however, that the current resource level available to the Project is insufficient to enable the Project to provide adequate services to all sectors of the targeted group. The 'success' of the Pembroke Project has been achieved because of the extra effort exerted by the Coordinator and the Crown Attorneys. We are concerned that this momentum cannot be maintained over the long term, without supplemental assistance.

We therefore recommend that:

A major Program planning task be undertaken, which must involve the Program Coordinator and the Project Coordinator, in consultation with the Senior Crown Attorney,

to clarify and redefine the Pembroke Project's objectives, based on a realistic appraisal and assessment of Project resources.

B. POTENTIAL CONFLICT OF OBJECTIVES

We note there is a perception that a conflict exists between the objectives of this Program - to provide quality service to victim/witnesses - and the practical objective within Crown offices, of reducing the backlog of cases through the courts. Although there are no outward manifestations of this conflict at the Pembroke site,

We recommend that:

The Ministry of the Attorney General clarify the relationship between these Victim/Witness Assistance Program objectives, and the case processing objectives of Crown Attorney's offices.

C. A NOTE ON ALTERNATIVE DELIVERY STRUCTURES

The current Project structure, integrated within the Crown's office, provides an effective means of delivering current services. In our view, the Project's 'success' rests on its integration and compatibility with the Crown Attorney's work processes. In our view, a non-governmental structure would not be able to offer the same quality or comprehensiveness of service.

There are drawbacks to this structure which are apparent at Pembroke. The Project is clearly perceived as a Crown service. As we have suggested earlier, Crown counsel provide more than enough clientele for the Project.

If the Project is expected to provide more comprehensive services, then alternate organizational arrangements (such as an extended tier-structure) should be considered. This option is discussed more fully in the report titled, "The Victim/Witness Assistance Program - Recommendations for Future Program Development".

D. LONG-TERM EVALUATION

The Pembroke Project is not ready for a long-term evaluation at this point. It has only been fully operational since October,

1987, when the volunteer component was introduced. Project data are incomplete. Program development and refinements are needed. Data collection mechanisms need to be operationalized.

We therefore recommend that:

A long-term evaluation framework and plan, including provisions for data collection, be developed subsequent to the implementation of Program development requirements specified in the report "The Victim/Witness Assistance Program - Recommendations for Future Program Development".

In recognition of the Ministry's need for immediate feedback on the Program as a whole and, as an interim measure,

We recommend that:

A client satisfaction survey be conducted expediently across a selected sample of sites. This survey would provide additional input for planning further refinements and expansion of the Program.

IX. CONCLUSIONS AND RECOMMENDATIONS

The Pembroke Victim/Witness Assistance Project has been fully accepted and well-integrated into the criminal justice environment in Renfrew County. While it is too soon to assess its long term impact, the short term effects are positive and generally consistent with the perceived intent of the Program.

We do stress the need for the Program Coordinator's office to create a more coherent structure for the Program generally, and for individual projects specifically. As our Kingston report demonstrates, and our limited knowledge of the other projects suggests, a wide variation in Project orientation and operational style is apparent.

To some extent, flexibility and local variation is desirable; but this activity must be controlled and monitored to ensure that the general goals and objectives of the Program are adhered to. Without greater commitment to a standardized set of objectives of the Program, individual Projects will drift. There are signs of this, at Pembroke. Although the problems are minor, if left uncorrected, major difficulties could emerge in the future.

We therefore strongly recommend that:

A structural framework for the Program be developed, which would include documented and articulated Policy guidelines and procedures.

Further recommendations in support of the above are presented in our report titled, "The Victim/Witness Assistance Program-Recommendations for Future Program Development".

The following recommendations have been made at various points in the text, but are repeated here for easy reference.

1. The Ministry of the Attorney General reevaluate whether defence witness should be served by this Program structure, in consideration of the ethical, legal, and practical implications of providing this service under the auspices of a Victim/Witness Assistance Program.

The Pembroke Project should not introduce services for defence witnesses until the Ministry of the Attorney General assesses the policy implications, and the practical feasibility of

providing those services within the realm of potentially available resources.

2. The Victim/Witness Assistance Provincial Program Coordinator develop, issue and articulate a policy limiting the Project to post-charge intervention.

The Pembroke Project communicate this policy to its criminal justice and social service agency network.

3. The Victim/Witness Assistance Provincial Program Coordinator develop a standardized information collection and data management system for the Program.

The Pembroke Project be provided with technical assistance in redesigning its information collection processes and systems and with training in computerized data collection procedures. This would include the acquisition of a more powerful software package, which, ideally could be eventually implemented at all Project sites.

4. The Ministry of the Attorney General clarify its requirements for the accompaniment dimension of the Program, and if deemed an essential Program activity, ensure that each Project has sufficient resources to supervise and carry out this proscribed mandate.

In the interim, the Pembroke Project be exempted from this objective, until sufficient resources - primarily volunteer and supervisory - are made available to the Project in this area.

5. The Victim/Witness Assistance Provincial Program Coordinator direct the Pembroke Project to open volunteer recruitment to males, providing that they hold the requisite skills, and can be appropriately matched with the Project's clientele.

6. The Ministry of the Attorney General provide the Pembroke Project with resources to produce an educational video on the Project's services. Copies of this video should be distributed to local police detachments and other service agencies for educational and training purposes.

7. The Victim/Witness Assistance Provincial Program Coordinator direct Victim/Witness Assistance Project Coordinators to maintain accurate records of the number and characteristics of individuals

contacted by the Project, and the number and characteristics of individuals responding to the offer of service.

8. The Ministry of the Attorney General undertake an assessment of the needs of rural victims of crime who are involved in a court proceeding. A second phase of this study would examine complementary, or alternative modes of service delivery to this unique client group.

9. The Ministry of the Attorney General clarify the lines of authority, powers and responsibilities of all levels of the Victim/Witness Assistance Program in relation to the Crown Attorney's office, and articulate these relationships to all staff concerned.

10. The Victim/Witness Assistance Provincial Program Coordinator design and formalize regular reporting and feedback mechanisms between the Program Coordinator and the respective Project Coordinators. This should also involve Senior Crown Attorney input.

The Pembroke Project's policy orientation and Project description should be reviewed by the Provincial Program Coordinator on a regular basis, and amended by the Project Coordinator, as required.

11. A complete review of the Program data collection rationale and procedures be conducted, with the view of operationalizing a standardized data collection procedure and report generation system, among all Project sites.

12. The Victim/Witness Assistance Provincial Program Coordinator, in conjunction with the Project Coordinators, develop a standardized Project scheduling/processing log for the Victim/Witness Assistance Project Coordinators at all sites.

13. The Ministry of the Attorney General conduct a thorough review of the Victim/Witness Assistance Program resource level.

As an immediate measure, that the Pembroke Project Coordinator's position be made full-time.

A comprehensive time study of her activities be undertaken, before any additional services or duties are introduced.

The feasibility of expanding the utilization of volunteers be examined.

14. A major Project planning task be undertaken, which must involve the Program Coordinator and the Project Coordinator, in consultation with the Senior Crown Attorney, to clarify and redefine the Pembroke Project's objectives, based on a realistic appraisal and assessment of Project resources.

15. The Ministry clarify the relationship between the Victim/Witness Assistance Program objectives, and the case processing objectives of the Crown Attorney's offices.

16. A long-term evaluation framework and plan, including provisions for data collection, be developed subsequent to the implementation of Program development requirements specified in our report "The Victim/Witness Assistance Program - Recommendations for Future Program Development".

17. A client satisfaction survey be conducted expediently across a selected sample of sites. This survey would provide additional input for planning further refinements and expansion of the Program.

